

Ser. No. 09/679,970

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Response to Office Action of 3/15/2005

Atty Docket 116734-8

AMENDMENTS TO THE DRAWINGS

The attached sheet of Fig. 2 has been amended to recite axis 47 in conjunction with annular surface 44 as described in the amended paragraph on page 8, line 11 of the specification. This sheet replaces the original sheet of Fig. 2 originally filed with the specification.

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REMARKS**Drawings**

In the Office Action, the Examiner has objected to the drawings, stating that the drawings must show every feature of the invention specified in the claims. In this regard, the Examiner's attention is directed to Fig. 2, wherein an illustration of the curvatures according to an embodiment of the invention are described and shown. As shown in Fig. 2, a central base curve 12 is generated based upon a radius of curvature extending from origin 34 on axis 30. As also shown in Fig. 2, the first annular zone may be formed by a first annular curve 44, which is stated in the specification on page 8, line 10-13, does not have its origin of curvature located on the central axis 30, but instead extends through an axis from the origin 46, which is now inserted in Fig. 2 as axis 47. The specification has also been amended to recite axis 47 in conjunction with annular surface 44 as described. This addition does not add new matter, and should alleviate the objection to the drawings as noted by the Examiner.

Claim Rejections – 35 USC §103

The Examiner also rejected claims 1-6, 8-12 and 14-23 under 35 U.S.C. 103, as being unpatentable over deCarle taken alone or further in view of Marie et al. The Examiner states that deCarle teaches a corneal contact lens having a lens body with anterior and posterior surfaces, with the posterior surface having a central zone (3) having a first curvature and at least one first annular zone (1) having a second curvature. The Examiner states that the second curvature is not coaxial with the first curvature, referencing column 3, lines 4-16. The Examiner goes on to state that although deCarle teaches a central distance zone and an annular near and distance zone, it does not state that a bifocal result will occur as long as the relative portions of distance and near vision zones are essentially in balance, referencing column 6, lines 27-30. The Examiner further states that occasionally the zones are reversed, referencing column 1, lines 9-12. The Examiner also refers to Marie et al. as providing support for modifying the teachings of deCarle so as to render the invention obvious.

Regarding the rejection of the claims based upon the prior art of deCarle and/or deCarle in combination with Marie et al., the Applicant respectfully traverses the Examiner's position, as it is

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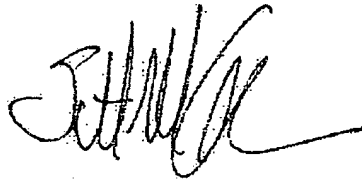
believed the claims as now presented clearly distinguish therefrom. In a review of deCarle, there is taught a bifocal contact lens design wherein near and distant vision zones are formed for correcting near and distance vision of a wearer. As now recited, the present invention is directed to a contact lens having a lens body with a posterior surface design to alter the shape of the cornea of a wearer and comprises central and at least one annular zone formed such that the curvature of the annular zone is not coaxial with the first curvature. The prior art of deCarle and Marie simply do not relate to contact lens designed to alter the shape of the cornea according to the present invention, and nothing within these patents relates to such a lens. The contact lens as taught by deCarle and Marie each relates to bifocal or multi-focal lens designed to correct refractive errors of the eye without altering the shape of the cornea, and instead using zones of different refractive power for imparting correction. According to the present invention as now claimed, the lens will reshape the cornea wherein, more particularly, the annular zone has a curvature which is flatter than the curvature of the central zone, so as to properly impart the reshaping pressure on the cornea. Nothing within the prior art of deCarle or Marie relates to these features. A person of ordinary skill in the art would not be led to form a lens for reshaping the cornea using the teachings of deCarle or Marie, which relates to the formation of distance vision correction and near vision correction zones. Although the Examiner stated that deCarle would lead one of ordinary skill to provide a near central area and alternating distance and near annular zones, resulting in a flatter first annular zone, this basis itself is flawed. The present invention is not concerned with providing alternating distance and near annular zones as suggested by the Examiner, but instead is directed to reshaping the cornea such that when the lens is removed, clear vision results. The teachings in deCarle and/or Marie, would not lead one of ordinary skill to provide a contact lens according to the present invention, nor would it lead one of ordinary skill to any design for a lens intended to perform this corneal reshaping function.

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Based upon the foregoing, it is believed that each of the independent claims is now in condition for allowance, and favourable action hereon is respectfully requested. If any further issues exist relative to this application, the Examiner is invited to contact Applicants' representative for resolution thereof.

Respectfully submitted,



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